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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,435	11/03/2000	Ronald Schauer	4448/IBSS/DV	6410
41161	7590	10/20/2004	EXAMINER	
DUGAN & DUGAN, PC 55 SOUTH BROADWAY TARRYTOWN, NY 10591			MORRISON, NASCHICA SANDERS	
			ART UNIT	PAPER NUMBER
			3632	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/706,435

**Applicant(s)**

SCHAUER ET AL.

**Examiner**

Naschica S Morrison

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 27-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 27-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is the fifth Office Action for serial number 09/706,435, Installation docking pedestal for pre-facilitation of wafer fabrication equipment, filed on November 3, 2000. Claims 1-13 and 27-39 are pending.

### ***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 27-30, 36 and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,312,525 to Bright et al. (Bright). Bright discloses a support apparatus (Fig. 2) comprising: a plurality of support legs (two cylindrical support members extending downwardly from the bottom of the frame as shown in Figs. 2 and 3), each of the support legs extending downwardly to a base mount pad (circular protruding portions attached to bottom of the cylindrical support members) adapted to be disposed at an interstice of a waffle-grid floor; a non-rectangular, monolithic frame (26) disposed on the support legs and having an outline substantially duplicating the bottom outline of a manufacturing equipment (22, 16, 16); a facilities connection locator (48) mounted to the support apparatus and providing a plurality of facilities connection locations (50, 52, 54) that are adapted to be pre-aligned to one or more vacuum lines on the manufacturing equipment (22, 16, 16) and that are positioned outside of the non-rectangular frame (26).

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 4, 5, 10, 11, 27, 30, 31, 36, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright in view of Admitted Prior Art (APA) of Fig. 1.

Regarding claims 1, 4, 10, 11, 27, 30, 36, and 37, Bright discloses a support apparatus (Fig. 2) comprising: a plurality of support legs (three tallest posts extending upwardly from 26); a non-rectangular, monolithic frame (26) disposed on the support legs and having an outline substantially duplicating the bottom outline of a manufacturing equipment (22, 16, 16); a facilities connection locator (48) mounted to the support apparatus and providing a plurality of facilities connection locations (50, 52, 54) that are adapted to be pre-aligned to one or more vacuum lines on the manufacturing equipment (22, 16, 16) and that are positioned outside of the non-rectangular frame (26). Bright does not teach the plurality of support legs being configured to align to a plurality of mounting feet of the manufacturing equipment. The APA of Fig. 1 discloses a support apparatus comprising a plurality of support legs (121) extending down to a base mount location pad (123) on a waffle-grid flooring (125) and aligned to each one of a plurality of load-bearing mounting feet of a manufacturing equipment (111). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have configured the frame of Bright so as to align the support legs of Bright with load-bearing mounting feet of a manufacturing equipment because one would have been motivated to provide direct support for the load bearing feet of the equipment in order to provide a

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more stable support apparatus as inherently taught by the APA of Fig. 1. Regarding claims 5 and 31, Bright does not teach the frame being a steel frame; however, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed the frame from iron, steel, or various other metals since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

Claims 1-5, 7-11, 27-31, and 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) of Fig. 2 in view of Admitted Prior Art (APA) of Fig. 1, and further in view of Bright. With regards to claims 1-4, 7, 10, 11, 27-30, 33, 36 and 37, APA of Fig. 2 discloses a support apparatus comprising: a plurality of support legs (131) extending down to a base mount location disposed at an interstice (at 133) of a waffle-grid floor (125) and a monolithic frame (135) disposed on the plurality of support legs, the frame including a flange (located between 135 and 139) about the periphery thereof for supporting raised flooring (139) and facilities connection locators (137) providing pluralities of connection points for site facilities. APA of Fig. 2 does not disclose the support legs aligned to each one of a plurality of load-bearing mounting feet of equipment or the frame having an outline substantially duplicating the bottom outline of the equipment. APA of Fig. 1 discloses a support apparatus comprising a plurality of support legs (121) extending down to a base mount location pad (123) on a waffle-grid flooring (125) and aligned to each one of a plurality of load-bearing mounting feet of a manufacturing equipment (111). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the

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APA of Fig. 2 by aligning the support legs with the load-bearing mounting feet because one would have been motivated to provide direct support for the load bearing feet in order to provide a more stable support apparatus. APA of Fig. 2 in view of APA of Fig. 1 discloses the support apparatus as applied above, but does not disclose the frame of APA of Fig. 2 having a non-rectangular outline substantially duplicating the outline of the equipment or the facilities connection locations being adapted to be pre-aligned to one or more facilities connection points (i.e. vacuum lines) of the manufacturing equipment. Bright discloses the support apparatus as applied to claims 1, 4, 5, 10, 11, 27, 30, 31, 36, and 37 above. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have contoured the frame outline to be a substantial duplicate of the equipment bottom outline and to have substituted the facilities connection locator of Bright for the facilities connection locators (137) because one would have been motivated to (1) reduce the amount of material necessary to manufacture the frame as well as reduce the amount of floor space occupied by the frame and equipment mounted thereon as taught by Bright and (2) reduce the amount of time required to reconfigure the manufacturing equipment platform with new facilities, tubes, and cables as taught by Bright (col. 15, lines 58-62).

Regarding claims 5 and 31, APA of Fig. 2 does not teach the frame being a molded steel frame; however, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed the frame of APA of Fig. 2 from iron, steel, or various other metals because one would have been motivated to increase the strength of the frame and further since it has been held to be within the general skill

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of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. Regarding claims 8, 9, 34 and 35, APA of Fig. 2 discloses flanges on the periphery of the frame for supporting raised flooring but does not teach the frame including flanges along the inner edges thereof. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed flanges on the inner edges of the frame of APA of Fig. 2 because one would have been motivated to provide a structural means for supporting raised flooring as inherently taught by APA of Fig. 2.

Claims 6 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright in view of APA of Fig. 1 and further in view of U.S. Patent 5,107,775 to Langlais et al. (Langlais). With regards to claims 6 and 32, Bright in view of APA of Fig. 1 discloses the support apparatus as applied above, but does not teach the support legs of Bright having an adjustable length. Langlais discloses a support apparatus (10) comprising a plurality of support legs (12,14) having an adjustable length. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the support legs of Bright to be adjustable in length because one would have been motivated to provide a means for raising the platform as taught by Langlais (Abstract, lines 1-2).

Claim 6 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over APA of Fig. 2 in view of APA of Fig. 1 in view of Bright, and further in view of Langlais. With regards to claims 6 and 32, APA of Fig. 2 in view of APA of Fig. 1 in view of Bright discloses the support apparatus as applied above, but APA of Fig. 2 does not teach the

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support legs having an adjustable length. Langlais discloses a support apparatus (10) comprising a plurality of support legs (12,14) having an adjustable length. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the support legs of APA of Fig. 2 to be adjustable in length because one would have been motivated to provide a means for raising the platform as taught by Langlais (Abstract, lines 1-2).

Claims 12 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright in view of APA of Fig. 1, and further in view of U.S. Patent 4,480,656 to Johnson. With regards to claims 12 and 38, Bright in view of APA of Fig. 1 discloses the support apparatus as applied above, but Bright does not disclose gooseneck couplings attached to the facilities connection points. Johnson discloses a gooseneck coupling (34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided gooseneck couplings at the facilities connection points of Bright because one would have been motivated to provide a means for connecting the supply lines to the equipment as inherently taught by Johnson.

Claims 12 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over APA of Fig. 2 in view of APA of Fig. 1 in view of Bright, and further in view of Johnson. With regards to claims 12 and 38, APA of Fig. 2 in view of APA of Fig. 1 in view of Bright discloses the support apparatus as applied above, but Bright does not disclose gooseneck couplings attached to the facilities connection points. Johnson discloses a gooseneck coupling (34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided gooseneck couplings



at the facilities connection points of Bright because one would have been motivated to provide a means for connecting the supply lines to the equipment as inherently taught by Johnson.

Claims 13 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright in view of APA of Fig. 1 and further in view of U.S. Patent 2,197,598 to Way. With regards to claims 13 and 39, Bright in view of APA of Fig. 1 discloses the support apparatus as applied above, but does not teach the frame of Bright including a plurality of seismic braces. Way discloses a support apparatus (Fig. 1) comprising a platform (10) having a plurality of braces (15,16) affixed to support legs (27) and adapted to fix to an object supported thereon. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the support apparatus of Bright to include braces because one would have been motivated to provide a device for securing and preventing shifting of objects mounted on the support frame as taught by Way.

Claims 13 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over APA of Fig. 2 in view of APA of Fig. 1 in view of Bright, and further in view of Way. With regards to claims 13 and 39, APA of Fig. 2 in view of APA of Fig. 1 in view of Bright discloses the support apparatus as applied above, but APA of Fig. 2 does not teach the frame including a plurality of seismic braces. Way discloses a support apparatus (Fig. 1) comprising a platform (10) having a plurality of braces (15,16) affixed to support legs (27) and adapted to fix to an object supported thereon. It would have been obvious to one of ordinary skill in the art at the time the invention was made to

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have modified the support apparatus of APA of Fig. 2 to include braces because one would have been motivated to provide a device for securing and preventing shifting of objects mounted on the support frame as taught by Way.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bright. Regarding claim 31, Bright discloses the support apparatus as applied to claims 27-30, 36 and 37 above, but does not teach the frame being a steel frame; however, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed the frame from iron, steel, or various other metals because one would have been motivated to increase the strength of the frame and further since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bright in view of Langlais. With regards to claim 32, Bright discloses the support apparatus as applied to claims 27-30, 36 and 37 above, but does not teach the support legs having an adjustable length. Langlais discloses a support apparatus (10) comprising a plurality of support legs (12,14) having an adjustable length. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the support legs of Bright to be adjustable in length because one would have been motivated to provide a means for raising the platform as taught by Langlais (Abstract, lines 1-2).

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bright in view of Johnson. With regards to claim 38, Bright discloses the support apparatus as

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applied to claims 27-30, 36 and 37 above, but does not disclose gooseneck couplings attached to the facilities connection points. Johnson discloses a gooseneck coupling (34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided gooseneck couplings at the facilities connection points because one would have been motivated to provide a means for connecting the supply lines to the equipment as inherently taught by Johnson.

Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bright in view of Way. With regards to claim 39, Bright discloses the support apparatus as applied to claims 27-30, 36 and 37 above, but does not teach the frame including a plurality of seismic braces. Way discloses a support apparatus (Fig. 1) comprising a platform (10) having a plurality of braces (15,16) affixed to support legs (27) and adapted to fix to an object supported thereon. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the frame to include braces affixed to the support legs because one would have been motivated to provide a device for securing and preventing shifting of objects mounted on the support frame as taught by Way.

### ***Response to Arguments***

Applicant's arguments filed 7/26/04 have been fully considered but they are not persuasive. Regarding applicant's argument that Bright, the APA of Fig. 1, the APA of Fig. 2, or any combination of the same disclose or suggest the facilities connection points being positioned outside of the non-rectangular frame, examiner respectfully

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disagrees. The prior art of record (Bright, the APA of Fig. 1, the APA of Fig. 2) as applied in the rejections above teach the outside positioning/location of the facilities connection locations (see especially the 102 rejections based on Bright).

### **Conclusion**


Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Naschica S. Morrison, whose telephone number is (703) 305-0228. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 703-308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this Application should be directed to the Technology Center receptionist at (703) 306-1113.

  
Naschica S. Morrison  
Patent Examiner - Art Unit 3632  
10/15/04

  
ANITA KING  
PRIMARY EXAMINER